

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**JACK BURKET, et al.,  
JENNIFER ADAMS, et al.,  
WILLIAM CLIFF, et al.,**

**CIVIL ACTION NOS.**      **05-72110**  
**05-72171**  
**05-72221**

**Plaintiffs,**

**VS.**

**DISTRICT JUDGE PATRICK J. DUGGAN**

**HYMAN LIPPITT, P.C.,  
et al.,**

**MAGISTRATE JUDGE MONA K. MAJZOUB**

**Defendants.**

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**OPINION AND ORDER DENYING MOTION FOR RECONSIDERATION**

These matters come before the Court on the Hyman Lippitt Defendants' Motion for Reconsideration of Motion to Extend Number of Interrogatories filed on August 23, 2007. (Docket no. 229).<sup>1</sup> Pursuant to this Court's local rules, motions for reconsideration that "merely present the same issues ruled upon by the court" will not be granted. E.D. Mich. LR 7.1(g). In addition, "[t]he movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case." (*Id.*) A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Guaranty Residential Lending, Inc. v. Homestead Mortgage Co.*, 2006 WL 2711815 at \*1 (E.D. Mich. Sept. 21, 2006). A motion for reconsideration cannot be used to introduce new evidence that could have been introduced during the pendency of the underlying motion. *Id.*

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<sup>1</sup> Citations to the record will be to case number 05-CV-72110 unless otherwise indicated.

The Court finds that Plaintiff has failed to show a palpable defect or that the correction of any palpable defect would result in a different disposition of the motion. The motion for reconsideration will therefore be denied.

**IT IS THEREFORE ORDERED** that the Hyman Lippitt Defendants' Motion for Reconsideration (No. 05-72110, docket no. 229; No. 05-72171, docket no. 234; No. 05-72221, docket no. 204) is **DENIED**.

**NOTICE TO THE PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 27, 2007

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

I hereby certify that a copy of this Opinion and Order was served upon Counsel of Record on this date.

Dated: August 27, 2007

s/ Lisa C. Bartlett  
Courtroom Deputy